

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

**EDGARDO NICOLÁS MARTÍNEZ PÉREZ**

DEBTOR

**CASE NO. 16-05934 BKT**

**CHAPTER 13**

**MOTION REQUESTING THAT CARMEN L SEIJO CRUZ'S CLAIM  
BE ALLOWED AS A LATE FILED CLAIM**

**TO THE HONORABLE COURT:**

**COMES NOW**, Carmen Luisa Seijo Cruz, creditor in the above captioned case, represented by the undersigned attorney who respectfully pray, and state as follows:

1. On July 27<sup>th</sup>, 2016 the debtor filed a voluntary petition under the Chapter 13 of the Bankruptcy Code. See docket entry no. 1.
2. Creditor, Mrs. Carmen Luisa Seijo Cruz is debtor's exwife. The debtor and Mrs. Seijo Cruz have an active litigation in state to liquidate joint properties and debts. See state court case no. KAC2014-0953 San Juan Superior Court. This litigation was not included in debtor's petition, nor was Ms. Seijo included as a creditor/joint owner/debtor in the creditor matrix. Therefore, Ms. Seijo learned about the bankruptcy case and the inclusion of her joint assets and debts recently.
3. On October 10<sup>th</sup>, 2018, creditor filed a Proof of Claim No. 14. However, the bar date to file proof of claim has passed.
4. The amount claimed in POC No. 14 is a unsecured amount regarding a post-conjugal liquidation of community assets.

5. Creditor respectfully requests to this Honorable Court to allow the Proof of Claim as filed.

**WHEREFORE**, the creditor respectfully requests that this Honorable Court allow Proof of Claim No. 14.

**RESPECTFULLY SUBMITTED**

In Caguas, Puerto Rico, this 30<sup>th</sup> day of October 2018

**NOTICE:** Within **fourteen (14) days** after service as evidenced by the certification, and an additional **three (3) days** pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the clerk's office of the United States Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the court, the interest of justice requires otherwise.

**CERTIFICATE OF SERVICE:** I certify that on this same date the foregoing document has been electronically filed with the Clerk of the Court using the CM/ECF system which sends notification of such filing to all system's participants, including the U.S. Trustee's Office and the Trustee.



/s/ CARLOS ALBERTO RUIZ, ESQ.

USDC-PR 210009

Attorney for Creditor

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